

WIDOW AND HEIRS OF SEPTA FILLMORE.

FEBRUARY 29, 1840.

Laid on the table.

Mr. GIDDINGS, from the Committee of Claims, made the following

REPORT:

The Committee of Claims, to whom was referred the petition of Eunice Fillmore, widow, and Nancy, Sabrina, and Eunice Fillmore, and Fanny H. Luther, and Trevia North, heirs of Captain Septa Fillmore, report:

That they have examined the petition and documents accompanying, with the grounds upon which it is based, and have come to a conclusion decidedly against an allowance of the claim. It has been frequently before Congress, and referred to the Committee of Claims, and as frequently, as far as we have been able to trace it, reported upon unfavorably, both before and since the decease of Captain Septa Fillmore. It was first presented on the 2d February, 1816, on behalf of Captain Septa Fillmore, then living, and referred to the Committee of Claims, who, on the 26th of that month, reported against the claim. It met with the same fate, during the lifetime of Captain Fillmore, by reports from the same committee, of the 9th of March, 1818; of the 17th December, 1819; of the 20th December, 1820; and 6th of March, 1822. On the 24th December, 1829, the claim was presented again, on behalf of the widow and heirs of Septa Fillmore, (he having, as it would seem, in the meantime died,) without any new evidence adduced in its support; again referred to the Committee of Claims, who on the 28th of that month reported against the claim.

The claim is based upon the occupancy and possession of houses, and destruction of grain and property, belonging to Septa Fillmore, by the British forces, during the late war with Great Britain, in the month of September, 1814, while he was in actual service of the United States as a captain of militia; said losses estimated at \$919 08. The facts set forth in the petition appear to be reasonably sustained by the proof adduced; but, granting them to be fully and satisfactorily sustained and made out, they present the case of loss produced by the unlawful and unauthorized conduct of the enemy. Your committee are not aware of any case in which Congress has recognised the principle of paying for or remunerating losses so produced; they therefore recommend the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Blair & Rives, printers.

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FEBRUARY 29, 1840.

Laid on the table.

Mr. Giddings, from the Committee of Claims, made the following

REPORT:

The Committee of Claims, to whom was referred the petition of Brunice Fillmore, widow, and Nancy, Sabrine, and Brunice Fillmore, and Henry H. Lister, and Trevelock North, heirs of Captain Septa Fillmore, report:

That they have examined the petition and documents accompanying with the grounds upon which it is based, and have come to a conclusion decidedly against an allowance of the claim. It has been frequently before Congress, and referred to the Committee of Claims, and as frequently, as far as we have been able to trace it reported upon unfavorably, both before and since the decease of Captain Septa Fillmore. It was first presented on the 2d February, 1816, on behalf of Captain Septa Fillmore, then living, and referred to the Committee of Claims, who on the 26th of that month, reported against the claim. It met with the same fate, during the lifetime of Captain Fillmore, by reports from the same committee, of the 9th of March, 1818; of the 17th December, 1819; of the 20th December, 1820; and 6th of March, 1822. On the 24th December, 1829, the claim was presented again, on behalf of the widow and heirs of Septa Fillmore, (he having, as it would seem, in the meantime died), without any new evidence adduced in its support; again referred to the Committee of Claims, who on the 28th of that month reported against the claim.

The claim is based upon the occupancy and possession of houses, and destruction of grain and property, belonging to Septa Fillmore, by the British forces, during the late war with Great Britain, in the month of September, 1814, while he was in actual service of the United States as a captain of militia; and losses estimated at \$219 08. The facts set forth in the petition appear to be reasonably sustained by the proof adduced; but granting them to be fully and satisfactorily sustained, and made out, they present the case of loss produced by the unlawful and unauthorized conduct of the enemy. Your committee are not aware of any case in which Congress has recognized the principle of paying for or remunerating losses so produced; they therefore recommend the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Blair & Rice, printers.